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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,075	10/19/2001	Satoru Okada	723-1190	8698

27562 7590 08/27/2003

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EXAMINER

ENATSKY, AARON L

ART UNIT	PAPER NUMBER
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3713

DATE MAILED: 08/27/2003

19

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Office Action Summary</b>	Application No.	Applicant(s)	
	09/982,075	OKADA ET AL.	
	Examiner	Art Unit	
	Aaron L Enatsky	3713	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 May 2003.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 25-32, 34-39 and 41-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 25-32, 34-39 and 41-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

**DETAILED ACTION**

***Response to Amendment***

1. Examiner acknowledges receipt of amendment on 05/27/03.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 25, 27-29, 31-32, 34, 36-39, 41-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over **US Patent No. 4,981,296** to Shiraishi et al. (Hereinafter, Shiraishi) in view of CardBus (Pages 1-3). Shiraishi teaches of a high speed data processor used with electronic games having the ability to reduce the processor speed to accommodate the electronic game software designed to run on a slower processor (1:10-24). Shiraishi also discloses that the processor speed can be of multiple speeds, not limited to two speeds (3:16-18). As Shiraishi teaches the variable speed process for use with video games, it is obvious that structural elements of a memory media for graphics and sound data, video output, and a connector for coupling the above elements are present in the above teachings, as it is notoriously well known that video game systems use the above-mentioned items. Shiraishi though, does not teach the use of a storage media storing clock speed data, rather that a user would select the correct clock speed. However, as Shiraishi clearly teaches manually altering processor speeds for use with electronic gaming systems one would have been motivated to include the correct processor speed with a

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specific game as it obvious to automate a manual process. Therefore, it would have been obvious to one of ordinary skill in the art to modify the teaching Shiraishi and include processor speed configurations with a specific game to reduce the burden on a user of manually switching between processor speeds for a particular game. Additionally, it is notorious well known that games and game system function can be duplicated in portable or console system format where a portable game system would include the claimed features of handheld game play, LCD display, and DMA operation. Shiraishi also does not disclose storing compatibility data in a memory storage medium. Cardbus teaches a portable memory storage device for use in portable/desktop computers that stores compatibility data so that a determination can be made as to the interoperability between a host system and the memory device using device IDs (Adapters, page 2 and Conclusion, page 3). While not explicitly stated, it is also notoriously well known that applications of Cardbus, also known as PCMCIA technology, cover the gamut of computing technology including memory, I/O interfaces, audio, video, networking, and other miscellaneous devices. In a memory embodiment, Cardbus could serve to hold any type of information, including game information. Therefore, one would be motivated to modify Shiraishi to include the compatibility data in the game memory medium taught by Cardbus to determine device interoperability to let users know whether the card is compatible with the host system (Configuration, page 3).

Claims 26, 30, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiraishi in view of Cardbus as applied to claims 25, 27-29, 31-32, 34, 36-39, 41-44 above, and further in view of **US Patent No. 5,556,108** to Nagano et al. (Nagano). Shiraishi in view of Cardbus teach the limitations as discussed above, but fail to disclose specifics of compatibility

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data related to color information. Nagano teaches a color conversion system that checks for color data on a portable storage medium to decide whether to execute a color conversion program (Fig. 22 and 6:37-43). One would be motivated to modify the game system taught by Shiraishi in view of Cardbus with color compatibility data taught by Nagano so that any color conversion that takes place will allow a game with a lesser number of colors be reproduced with a greater number of colors that the current host system can reproduce (2:30-36). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the color compatibility data taught by Nagano in the compatibility data memory of the game system taught by Shiraishi in view of Cardbus to increase player enjoyment by refreshing an old game with a new look of enhanced color.

### ***Response to Arguments***

3. Applicant's arguments filed 9/16/02 have been fully considered but they are not persuasive.
4. Applicant's arguments in view of the prior art rejection are now moot in view of the new rejection as discussed above.

### ***Citation of Pertinent Prior Art***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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**US 5,954,808** to Paul teaches storing initialization/configuration data on a portable, removable card for use in a computer-based system. The configuration information can comprise a plurality of different types including configuring hardware and software.

**US 5,161,803** to Ohara teaches a portable game machine with removable cartridges that have a cartridge identifier to aid in game system configuration.

**US 6,311,246** to Wegner et al. teaches a memory device that stores a device ID along with clock speed configuration information.

**US 5,727,208** to Brown teaches dynamic clock speed reconfiguration for the purpose of energy savings.

**US 6,052,794** to Polzin et al. teaches a removable card that contains device ID and configuration information in a computing system.

**US 5,184,830** to Okada et al. teaches a portable game machine using a plurality of removable cartridges capable of storing any type of information.

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*Conclusion*

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron L Enatsky whose telephone number is 703-305-3525. The examiner can normally be reached on 8-6 M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Teresa Walberg can be reached on 703-308-1327. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9302 for regular communications and 703-872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

Aaron Enatsky

August 18, 2003



Teresa Walberg  
Supervisory Patent Examiner  
Group 3700